

## REMARKS

### I. Introduction

In response to the Office Action dated October 19, 2004, claims 4 and 13 have been cancelled without prejudice, or waiver, and claims 1, 2, 9, 10, 11, and 18 have been amended. Claims 1-3, 5-12, and 14-18 remain in the application. It is not the Applicants' intent to surrender any equivalents because of the amendments or arguments presented herein. Re-examination and re-consideration of the application, as amended, are respectfully requested.

### II. Allowable Subject Matter

In paragraph (11), the Office Action indicates that the subject matter of claims 2, 4, 11, and 13 would be allowable if written in independent form including all of the limitations of the base claim and any intervening claims.

The Applicants thank the Examiner and formally acknowledge the Office Action's indication of allowable subject matter in claims 2, 4, 11, and 13. Applicants have rewritten the independent claims to overcome the objections, and respectfully submit that all remaining claims are now in good order for allowance.

The amendments made herein are not made or required for reasons of patentability, since the amendments merely place in independent form at least some of the already patentable subject matter. Further, the amendments to the claims which incorporate the patentable subject matter do not narrow the claim, since the exact language of the patentable claims has been reproduced in the independent claims. As such, no equivalents have been surrendered based on the amendments made to place the patentable subject matter of dependent claims into independent form.

### III. Office Action Objections

In paragraph 1, the Office Action objected to Figure 1 because it lacked a Prior Art legend.

The Applicants have amended Figure 1 to include the Prior Art legend in response to this objection. Included herewith is a Replacement Sheet for Figure 1.

In paragraphs 2 and 3, the Office Action objects to claims 9, 10, and 18. Claims 9 and 18 were objected to for typographical errors, and claim 10 was objected to because the order of presentation of the claim was confusing.

The Applicants thank the Examiner for the thorough examination of the claims and specification and have amended the claims to overcome the objections. As with the amendments discussed above, the amendments are not required or made for reasons of patentability, nor are the amendments made to narrow the scope of the claims, and, as such, no equivalents have been surrendered based on the amendments to overcome these objections.

#### IV. Office Action Prior Art Rejections

In paragraphs (4)-(5), the Office Action rejected claims 1, 3, 5-10, 12, and 14-18 under 35 U.S.C. § 103(a) as unpatentable over Luo et al., U.S. Patent No 6,324,322 (Luo). Applicants respectfully traverse this rejection, however, in light of the amendments to the claim to incorporate patentable subject matter as described above, the Applicants believe that the rejections are rendered moot. Silence as to the rejections on the part of the Applicants should not be construed as Applicants' acceptance of the validity of the rejections.

Dependent claims 2-3, 5-9, 11-12, and 14-18 incorporate the limitations of their related independent claims, and are therefore also patentable on at least this basis. In addition, these claims recite novel elements even more remote from the cited references. Accordingly, the Applicants respectfully request that these claims be allowed as well.

#### V. Conclusion


In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

Respectfully submitted,

GATES & COOPER LLP  
Attorneys for Applicant(s)

Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, California 90045  
(310) 641-8797

Date: January 19, 2005

By:   
Name: Anthony J. Orler  
Reg. No.: 41,252

AJO/io

IN THE DRAWINGS

Please amend FIG. 1 as described in the enclosed drawing (Replacement Sheet) with the addition of "Prior Art" to FIG. 1.